

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EEON FOUNDATION,

Plaintiff,

vs.

GOOGLE, INC., et al.,

Defendants.

Case No: 20-cv-01317-SBA

**ORDER DENYING MOTION FOR
ENTRY OF DEFAULT JUDGMENT**

Dkt. 27

On February 21, 2020, Plaintiff EEON Foundation (“Plaintiff”) filed a motion pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. § 9, for a court order confirming a purported arbitration award against Defendants Google, Inc., YouTube, Inc., and Alphabet, Inc. (collectively, “Defendants”). Dkt. 2.¹

On June 23, 2020, the Court issued an Order Dismissing Action, wherein it dismissed the action both for lack of service, pursuant to Federal Rule of Civil Procedure 4(m), and for failure to allege facts establishing subject matter jurisdiction, pursuant to Rule 12(h)(3). Dkt. 23. Judgment has been entered, Dkt. 24, and the action is now closed.

On June 25, 2020, Plaintiff filed a Motion for Entry of Default, Dkt. 25, and a Motion for Entry of Default Judgment, Dkt. 27. The Clerk declined to enter Defendants’ default on the ground that the case has been dismissed. Dkt. 26. For the same reason, the

¹ Plaintiff initially filed the action as a miscellaneous case. See Case No. 20-mc-80046-JCS. However, Magistrate Judge Joseph C. Spero, who was then assigned to the action, ordered that it be reclassified as a civil case. Dkt. 1.

1 Court DENIES as moot Plaintiff's motion for entry of default judgment. Future filings of
2 this sort may be summarily denied in light of the dismissal of the action.

3 IT IS SO ORDERED.

4 Dated: July 1, 2020

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6 SAUNDRA BROWN ARMSTRONG
7 Senior United States District Judge
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